

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

GOLD CREST, LLC, a California Limited Liability Company,

Plaintiff,

vs.

PROJECT LIGHT, LLC, an Ohio Limited Liability Company; PROSPETTO LIGHT, LLC, an Ohio Limited Liability Company; PROSPETTO LIGHTING, LLC, an Ohio Limited Liability Company; SAM AVNY, an individual; and DOES 1-10, inclusive;

Defendants.

CASE No. 5:19-CV-02921

JUDGE SARA LIOI

NOTICE OF DEFENDANT'S FAILURE TO FILE AN OPPOSITION TO PLAINTIFF'S FED.R.CIV.P. 37 MOTION TO COMPEL PRODUCTION OF DOCUMENTS

[Docket Entry No. 75]

Complaint Filed: 08-12-2019

NOW COMES, Plaintiff GOLD CREST, LLC ("Plaintiff" or "Gold Crest"), hereby advises the Court that Defendant Project Light, LLC ("Defendant" or "Project Light") has not filed or served any opposition to *Plaintiff's Fed.R.Civ.P 37 Motion to Compel Production of Documents* ("MTC").

The Northern District's Local Rules require an opposing party to serve a response "*within fourteen (14) days after service of any non-dispositive motion.*" L.R. 7-1(d).

Plaintiff Gold Crest filed and served its MTC on June 19, 2020 (Docket Entry No. 75), thus any response or opposition was due on or before July 6, 2020, including three days for service by FedEx delivery. As of July 7, 2020, Defendant Project Light has not filed a response in opposition to Plaintiff Gold Crest's MTC setting forth any objections to Plaintiff

Gold Crest's discovery requests or any justification for Project Light's failure to timely comply with those requests.

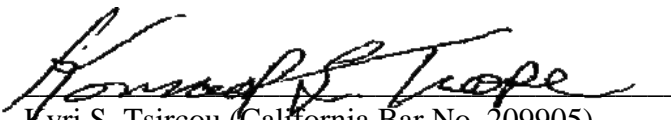
Accordingly, Plaintiff requests:

1. that the Court conclude that Plaintiff's MTC be granted;
 2. that Plaintiff's Proposed Order regarding this MTC be entered in its entirety;
- and
3. that Plaintiff be granted leave to file a supplemental Brief motion not later than seven (7) days from the date of the Order setting forth its attorneys' fees and costs incurred in bringing this Motion to determine the amount of fees and costs to be awarded.

See Mill v. Ability Recovery Services, LLC, 2020 WL 2838597 at *1 (S.D. Ohio June 1, 2020) (plaintiff's motion to compel requests for production of documents granted in the absence of defendant filing opposition); *Newdigate v. Adamanda, Inc.*, 2015 WL 4111723, at *1 (S.D. Ohio July 7, 2015).

Respectfully submitted,

Dated: July 7, 2020



Kyri S. Tsircou (California Bar No. 209905)

Konrad L. Trope (California Bar No. 133214)

Admitted Pro Hac Vice

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Counsel for Plaintiff Gold Crest, LLC, a California Limited Liability Company

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to the within action; my business address is 515 S. Flower St. Floor 36, Los Angeles, California 90071. I am employed by a member of the Bar of this Court at whose direction the service was made.

On July 7, 2020, I served the foregoing document entitled ***NOTICE OF DEFENDANT'S FAILURE TO FILE AN OPPOSITION TO PLAINTIFF'S FED.R.CIV.P. 37 MOTION TO COMPEL PRODUCTION OF DOCUMENTS*** [Docket Entry No. 75] on interested parties in this action electronically through the Court's ECF System to:

Kyri Tsircou, Counsel for Plaintiff	kyri@tsircoulaw.com
Jay Campbell, Counsel for Plaintiff	jay.campbell@tuckerellis.com
David Bernstein, Counsel for Plaintiff	david.bernstein@tuckerellis.com
Konrad Trope, Counsel for Plaintiff	ktrope@tsircoulaw.com
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Laura J. Gentilcore, Counsel for Defendants	ljgentilcore@rennerkenner.com

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on July 7, 2020 at Caldwell, Idaho.


Gina Kincaid